

# Title 7: AGRICULTURE AND ANIMALS

## Chapter 8-A: FOOD AND FOOD POLICY

### Table of Contents

<b>Part 1. ADMINISTRATION.....</b>	
Subchapter 1. PURCHASE OF FOODSTUFFS FROM MAINE .....	3
Section 211. STATEMENT OF POLICY.....	3
Section 212. DEFINITIONS.....	3
Section 213. IMPLEMENTATION OF STATE POLICY TO PURCHASE FOODSTUFFS FROM MAINE CONCERNS.....	3
Section 214. COORDINATION OF PURCHASES OF FOODSTUFFS FROM MAINE CONCERNS.....	4
Section 215. STANDARDS.....	4
Subchapter 2. FOOD POLICY .....	5
Section 216. MAINE FOOD POLICY COUNCIL (REPEALED).....	5
Section 217. HUNTERS FOR THE HUNGRY PROGRAM; ACCEPTANCE OF DONATIONS.....	5
Section 218. FARMERS' MARKET PROGRAM.....	5



**Maine Revised Statutes**  
**Title 7: AGRICULTURE AND ANIMALS**  
**Chapter 8-A: FOOD AND FOOD POLICY**

**Subchapter 1: PURCHASE OF FOODSTUFFS FROM MAINE**

**§211. STATEMENT OF POLICY**

It is the policy of the State to encourage food self-sufficiency for the State. State institutions and school districts in the State shall purchase food produced by Maine farmers or fishermen, provided that food is available in adequate quantity and meets acceptable quality standards, and is priced competitively. [ 1983 , c. 608, §2 (NEW) . ]

SECTION HISTORY

1983, c. 608, §2 (NEW) .

**§212. DEFINITIONS**

**1. Brokers or wholesalers.** "Brokers or wholesalers" means any person representing an enterprise, either for profit or nonprofit, whose objective is to purchase or collect available supplies of food from Maine food producers for subsequent distribution to state institutions, school districts and other food businesses.

[ 1983, c. 608, §2 (NEW) . ]

**2. Maine food producer.** "Maine food producer" means any person who is a resident farmer or fisherman, or an association of farmers or fishermen in a cooperative or producer group.

[ 1983, c. 608, §2 (NEW) . ]

**3. State or school purchaser.** "State or school purchaser" means any person who purchases foodstuffs for any state institution or agency, the community colleges or the school districts of this State.

[ 1989, c. 443, §18 (AMD); 2003, c. 20, Pt. OO, §2 (AMD); 2003, c. 20, Pt. OO, §4 (AFF) . ]

SECTION HISTORY

1983, c. 608, §2 (NEW). 1989, c. 443, §18 (AMD). 2003, c. 20, §002 (AMD). 2003, c. 20, §004 (AFF) .

**§213. IMPLEMENTATION OF STATE POLICY TO PURCHASE FOODSTUFFS FROM MAINE CONCERNS**

Notwithstanding any other provision of law and assuming reasonable similarity in quality, quantity and availability with other foodstuffs offered for sale, state or school purchasers shall buy meat, fish, dairy products, excluding milk and eggs, and species of fruits and fresh vegetables, directly from Maine food producers or from food brokers who assist in the distribution of foodstuffs produced or harvested by Maine food producers. In the event that more than one producer, broker or wholesaler can supply a given foodstuff, the institutional or school purchaser may require competitive bidding. [1983, c. 608, §2 (NEW) . ]

**1. Amounts to be expended by institutional facilities.**

[ 2005, c. 382, Pt. C, §1 (RP) . ]

**2. Amounts to be expended by a school district.**

[ 2005, c. 382, Pt. C, §1 (RP) .]

## SECTION HISTORY

1983, c. 608, §2 (NEW). 2005, c. 382, §C1 (AMD).

**§214. COORDINATION OF PURCHASES OF FOODSTUFFS FROM MAINE CONCERNS**

**1. Food purchasing coordinator.** The commissioner shall designate an employee of the department to serve as a food purchasing coordinator to assist in the development of connections between state and school purchasers, Maine food producers and brokers and wholesalers of food.

[ 2005, c. 382, Pt. C, §2 (AMD) .]

**2. Annual meeting.** The food purchasing coordinator shall cause to be held an annual meeting that brings together producers, wholesalers, buyers and food service professionals to enhance opportunities for cooperation and expand the purchase of local foodstuffs by state institutions and public schools.

[ 2005, c. 382, Pt. C, §2 (AMD) .]

**3. Advisory committee.** The commissioner shall establish an advisory committee to discuss possibilities and review proposals for expanding purchases of local foodstuffs. The commissioner shall invite one or more representatives from each of the following agencies to serve on the advisory committee: the Department of Education; the Department of Marine Resources; the Department of Corrections; the Department of Administrative and Financial Services, Bureau of Purchases; the Department of Health and Human Services; the University of Maine System; and the Maine Community College System.

[ 2011, c. 655, Pt. EE, §12 (AMD); 2011, c. 655, Pt. EE, §30 (AFF) .]

## SECTION HISTORY

1983, c. 608, §2 (NEW). 1985, c. 271, §§1,2 (AMD). 1989, c. 700, §A30 (AMD). 1991, c. 780, §DDD21 (AMD). 2003, c. 689, §B6 (REV). 2005, c. 382, §C2 (AMD). 2011, c. 655, Pt. EE, §12 (AMD). 2011, c. 655, Pt. EE, §30 (AFF).

**§215. STANDARDS**

**1. Quality standards to be established.** Quality standards for meat, fish, dairy products, excluding milk and eggs, and species of fresh fruits and vegetables shall be established in writing and copies of these standards shall be made available to all Maine food producers and brokers and wholesalers who are interested in selling food to institutions and schools in Maine.

[ 1983, c. 608, §2 (NEW) .]

**2. Coordination of development of quality standards.** The Bureau of Purchases will coordinate the development of quality standards with state institutions and the Department of Education. The coordinator will collaborate with the State Purchasing Agent in assisting state and school purchasers in formulating consistent, although not necessarily uniform, quality standards. In the event there are differences of opinion about the quality of foodstuffs supplied institutions or schools, final authority for resolution rests with the State Purchasing Agent.

[ 1989, c. 700, Pt. A, §31 (AMD) .]

**3. Certification of food of Maine origin.** Food brokers and wholesalers or any person who sells directly to the state institutions and schools of Maine shall certify to purchasing agents that shipments of food intended to be of Maine origin are produced or harvested by Maine food producers.

[ 1983, c. 608, §2 (NEW) .]

**4. Split shipments of food.** In the event that foodstuffs of Maine origin are not available in sufficient quantities to meet demand, food brokers and wholesalers or any person selling directly to the state institutions or schools may supply split shipments of food, mixing food items of Maine origin with the same food items from outside Maine, provided the consolidated order is of comparable quality and the broker specifies the percentage of the mixed shipment that is of Maine origin.

[ 1983, c. 608, §2 (NEW) .]

#### SECTION HISTORY

1983, c. 608, §2 (NEW). 1989, c. 700, §A31 (AMD).

## Subchapter 2: FOOD POLICY

### **§216. MAINE FOOD POLICY COUNCIL**

*(REPEALED)*

#### SECTION HISTORY

RR 2005, c. 2, §6 (COR). 2005, c. 614, §4 (NEW). 2011, c. 344, §16 (RP).

### **§217. HUNTERS FOR THE HUNGRY PROGRAM; ACCEPTANCE OF DONATIONS**

The department and those recipient agencies participating in the department's food assistance distribution programs may accept wild game meat from persons participating in the Hunters for the Hungry Program established under Title 12, section 10108. The department may facilitate the acceptance of that meat by its recipient agencies through coordination with the Department of Inland Fisheries and Wildlife and may undertake educational and promotional efforts on behalf of the program. [2005, c. 614, §4 (NEW) .]

#### SECTION HISTORY

2005, c. 614, §4 (NEW).

### **§218. FARMERS' MARKET PROGRAM**

The department shall cooperate with the Commissioner of Health and Human Services or the commissioner's designee to promote the purchase of state-grown and processed food products at local farmers' markets and farmstands by nutritionally at-risk groups through programs administered by the Department of Health and Human Services under Title 22, chapter 851. [2005, c. 614, §4 (NEW) .]

#### SECTION HISTORY

2005, c. 614, §4 (NEW).

---

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 126th Maine Legislature and is current through August 1, 2014. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--